

MINUTES

CITY OF WARR ACRES
REGULAR CITY COUNCIL MEETING
TUESDAY
SEPTEMBER 15, 2009
6:00 P.M.

1. The Mayor called the meeting to order at 6:00 p.m. Declaration of a quorum present was given. The Flag salute was lead by Chief Carter and the Invocation was given by Councilman Christian Portwood

ROLL CALL

PRESENT

Mayor Pat Woolley
Vice-Mayor Nancy Olson
Councilman Dean Johnson
Councilman David Dirkschneider
Councilman Mike Gossman
Councilwoman Cathy Maxey
Councilman Christian Portwood

ABSENT

Councilman Phil Owens
Councilman Doug Davis

STAFF PRESENT

Robert Jernigan, City Attorney
Roger Patty, Police Chief
Rob Carter, Fire Chief
Mike Turman, Public Works Director
Scott Barrett, City Engineer
Pamela McDowell-Ramirez, City Clerk

2. Call to the Public.

The Mayor read a letter from the US Department of Justice thanking Police personnel John Gray, John Feith, Danny Looper, Josh Lenz and Mike Anderson for their assistance in the arrest of bank robbery suspects.

Steve Pennington told the council that there was a conspiracy theory pertaining to the H1N1 virus and that Baxter Pharmaceutical sent out the virus to kill thousands and now is making the vaccine and he wanted to make sure everyone knows not to take the Baxter vaccine.

Lois Meirs addressed the council once again about the Community Center and the Salvation Army. Councilman Johnson asked her what it was she wanted to

happen and if her goal was to have the Salvation Army removed from the Center and her answer was yes.

3. CONSENT DOCKET: (individual items may be deleted from the consent docket for discussion and action under #4.

A. Approval of the minutes from the Regular meeting of August 18, 2009.

B. Approval of Expenditures ****
General Fund \$ 125,852.62
CIP Fund \$ 18,159.50

C. Approval of Actual Expenditures for August 2009 and Proposed Expenditures for September 2009. ****

D. Sales Tax History Report. ****

E. Approval to surplus items per list provided by the Public Works Director.

F. Approval to surplus Engine 24 and items per detailed list. ****

Motion by Johnson, second by Dirkschneider to approve the Consent Docket.

Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea;

Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

4. Discussion and possible action on items removed from the consent docket.

Moot.

5. Receive reports from Staff: Police Chief, Fire Chief, City Clerk, City Attorney, Public Works Director, City Engineer, and City Planner. ****

Chief Patty-said that he was sorry that he did not get all the council called after the shooting. He stated that Sgt. Schatzer was doing well and he would be off for 2-3 weeks. He said that all the charges have not yet been determined by the DA as of yet. He told the council that there was currently a Conference being held in Tulsa and the manufacture of the Body Armor that Sgt. Schatzer was wearing was at the conference and that that had Sgt. Schatzer and his family there and he was being honored. The Mayor wanted it noted that the Police receive many 911 calls each month and in August they wrote 293 tickets and made 72 arrest.

Chief Carter-said the new fire truck was delivered and they were putting all the equipment on it but it was not yet in service. He said they expect to get many

years of good service from the new truck. He thanked the current council and past council for purchasing the truck. He also told the council that the truck will be in the Czech festival parade in October. The Mayor stated that the Fire department receives many medical calls each month and they are well trained in this area and that is very important.

PWD Turman-said they have been working with ODOT and ACOG on the street project. He said that big trash pickup will be again in October and the new Ordinance that restricts what can be put out and when is in affect. He said the Sewer department did 3 repairs this month and the 42nd Street manhole replacement and sealing will take place soon. He told that auctioned items brought in \$10,000 and that the Street department has been removing graffiti all over town. Councilwoman Maxey asked if it was possible for the city to grind down 67th and MacArthur. Mr. Turman told her that is working to find a contractor to do the work because the city did not have the equipment to do it.

Engineer Barrett-said that the 63rd and Grove light project is completed. The flow monitoring is complete and they are waiting on the reports so they can submit their engineering report to ODEQ. He said that then ODEQ will tell the city what else needs done for the Consent order. He said they are waiting on final paperwork on the Pines Dam. He told the council that he is working on plans for an overlay project on MacArthur from 63rd to 70th and possibly all the way to NW Expressway for the money left over from the 63rd Street overlay project. There has been no word on the Energy grants but final approval is supposed to be by the end of September. He reminded everyone that on September 24th from 3-7 p.m. at the Community Center there will be an informational meeting on Stormwater with booths and displays.

6. Discussion and possible action on a recommendation from the Planning Commission regarding the granting of an extension for filing of the final plat of Marlynn Estates located at 5200 NW 46th Street. Applicant: Crafton, Tull & Associates, Inc. (Planning Commission recommended approval with stipulation) *****

Councilman Gossman asked if the applicant explained why they needed an extension. Planning Commissioner Wehba stated that they had one Engineer and that fell through so they are starting again. The issue of keeping the property mowed was brought up. That issue was addressed in the stipulations.

Motion by Portwood, second by Maxey to approve the recommendation of the Planning Commission with the stipulations. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

7. Discussion and possible action on approval of bid specs and authorization to go out for bid on a multiple street overlay project (appropriation was done in CIP).
Turman & Barrett ****

Engineer Barrett told the council that the money was appropriated in the budget to do street projects and he has provided them with a list of streets and ways to fund the different projects. The list also provided information on what jobs could be performed by the city and what would need to be done by contractors. In all the projects are over \$6.5 million. Councilman Dirkschneider asked what the chances were in the city receiving Community Block Grants for Wards III and IV.

Engineer Barrett stated that the new Grant Writer that the city hired has said that she will only work on grants that she feels will be awarded and last year she had 5 out of 6 awarded. She will be the one working to secure these funds. Councilman Gossman asked what the chances were in getting OKC to work with the city to do 42nd Street. Engineer Barrett stated that the city is working with OKC right now on the 63rd Street overlay project. He said that the ACOG remaining money from the 63rd Street project can be used for another project and that they are applying to have MacArthur overlaid from 63rd to near NW Expressway. He told them that the last four projects on their list were the ones that were ready to bid out.

Motion by Johnson, second by Dirkschneider to approve the bid specs and authorization to advertise for bids. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

8. Discussion and possible action on approval to order one Ford F150 Crew Cab for \$22,871 (CIP approved appropriation was \$23,000) and one Ford F150 Ext. Cab for \$19,456 (CIP approved appropriation was \$20,000). *Turman*

These trucks are for use in the Street department and are on State contract.

Motion by Maxey, second by Dirkschneider to approve the Public Works Director to order one F150 Crew Cab and one F150 Ext. Cab. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

9. Discussion and possible action to approve the lease document and authorize the Mayor to execute the contract for the lease purchase of the new patrol unit; approval to appropriate additional funds from the Public Safety Tax and make the first payment upon delivery. *Patty* ****

Motion by Dirkschneider, second by Johnson to appropriate the amount, approve the lease agreement and authorize the Mayor to execute the agreement. Poll vote:

Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

10. Discussion and possible action on re-appointments or new appointments for Ward II, Ward IV and one At-Large Planning Commission seats. Currently held by Charles Hawkins, Bob Wehba and James Neece. Terms to expire October 2012.

Mayor Woolley stated that Mr. Hawkins and Mr. Wehba both would like to be re-appointed. The Mayor passed out two resumes for persons he would like the council to vote on for the At-Large seat to replace Mr. Neece. The two applicants both addressed the council telling about themselves.

Motion by Gossman, second by Dirkschneider to re-appoint Mr. Hawkins and Mr. Wehba. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

The council voted on Mr. Godwin and Mr. Dahlenburg. Poll vote: Johnson, Dahlenburg; Dirkschneider, Dahlenburg; Gossman, Dahlenburg; Maxey, Godwin; Portwood, Dahlenburg; Olson, Godwin; and Woolley, Dahlenburg.

Mr. Dahlenburg was appointed to the Planning Commission At-Large position.

11. Discussion and possible action on re-appointments or new appointments for Ward II and Ward IV Board of Adjustment seats. Currently held by Chuck Walker and Cheryl Lipscomb. Terms to expire October 2012.

The Mayor stated that both Mr. Walker and Mrs. Lipscomb would like to be re-appointed to the Board of Adjustment.

Motion by Dirkschneider, second by Olson to approve the re-appointments. Poll vote: Johnson, yea; Gossman, abstain; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed.

12. A. Discussion and possible action on an Ordinance establishing the requirements and enforcement of a storm water drainage to meet federal and state mandates. ****

Attorney Jernigan stated that this was brought to them last month for their review and if no one had changes it was ready for approval. Engineer Barrett stated that this Ordinance meets one of the Stormwater Quality Program requirements.

Motion by Johnson, second by Dirkschneider to approve the Ordinance (#1076).
Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea;
Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

B. Approval of the emergency clause.

Motion by Dirkschneider, second by Johnson to approve the emergency clause.
Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea;
Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

13. Questions and Comments from Councilmembers.

Portwood-said that he really appreciated some issue that were brought to his attention being taken care of in a quick manner by the Public Works Director.

Dirkschneider-thanked the Animal Control Officer for his quick response to a call. He also stated that he would like for the council to consider Economic Development and incentives to bring in businesses. He said that Warr Acres is a crossroads and they should take advantage of the possibilities.

Gossman-said things have been going good and that he has received positive phone calls. He said there are a couple of commercial eye sore properties that the city needs to work on getting cleaned up. The Mayor stated that one of them is being looked at very seriously to be developed. In two weeks there will be a city wide clean up and there will be bags provided at city hall the morning of September 26th.

Mayor-thanked the council for another great meeting and stated that he was very proud of the Police department. He also stated that he plans to stop the Wednesday trash pickup during holiday weeks and asked if any one had objections. No one was against the idea.

14. Discussion on a pending investigation of matters involving Cherokee Crossing Addition and possibly entering into executive session as allowed under 25 O.S. Supp. 307 (B)(4), Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest.

Attorney Jernigan recommended that the council enter into executive session.

Motion by Dirkschneider, second by Portwood to enter into executive session.
Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea;
Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

The council entered into executive session at 7:23 p.m.

The council returned to open session at 7:50 p.m.

Motion by Johnson, second by Dirkschneider to come out of executive session.
Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea;
Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

15. Any Old or New Business (“New Business” is defined by the Open Meeting Act as any matter not known about or which could not have been reasonably foreseen prior to the time of posting of the agenda of a (“surprise nature”)).

Moot.

16. Adjournment.

Motion by Dirkschneider, second by Gossman to adjourn. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 7:51 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk

MINUTES

CITY OF WARR ACRES PUBLIC WORKS AUTHORITY MEETING

**TUESDAY
SEPTEMBER 15, 2009
7:00 p.m.**

(Following completion of regularly scheduled City Council meeting)

1. The meeting was called to order at 7:51 p.m. Declaration of a quorum present was given.

ROLL CALL

PRESENT

Chairman Patrick Woolley
Vice-Chair Nancy Olson
Trustee David Dirkschneider
Trustee Mike Gossman
Trustee Dean Johnson
Trustee Christian Portwood
Trustee Cathy Maxey

ABSENT

Trustee Phil Owens
Trustee Doug Davis

2. Approve the minutes of the Warr Acres Public Works Authority Meeting of August 18, 2009. ****

Motion by Gossman, second by Johnson to approve the minutes. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

3. Approve payment of claim in the amount of \$63,558.28 to the Bethany-Warr Acres Public Works Authority for the Warr Acres portion of the Joint Trust and Bond Retirement for the month of August, 2009. ****

Motion by Gossman, second by Portwood to approve the payment of the claim. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

4. Approval of payment of claims for the Sewer department. ****

Motion by Dirkschneider, second by Johnson to approve the claims. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

5. Adjournment.

Motion by Portwood, second by Gossman to adjourn. Poll vote: Johnson, yea; Gossman, yea; Dirkschneider, yea; Maxey, yea; Portwood, yea; Olson, yea; and Woolley, yea.

Motion Passed Unanimously.

The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

Pamela McDowell-Ramirez
City Clerk